

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE
TOWN OF LURAY, PAGE COUNTY, VIRGINIA
Monday, May 12, 2008**

The Luray Town Council met in regular session on Monday May 12, 2008 at 7:00 p.m. in the Luray Town Council Chambers located at 45 East Main Street, Luray, Virginia at which time there were present the following:

Presiding: Mayor Ralph H. Dean

**Council Present: Nancy Shifflett
Lonnie Arrington
William Menefee
Leroy Lancaster
Barry Presgraves
Earl "Rock" Racer**

**Also Present: Rick Black, Town Manager
Bryan Chrisman, Assistant Town Manager
Jason Spitler, Town Attorney
Mary Broyles, Treasurer
Danielle Babb, Deputy Clerk-Treasurer
Ligon Webb, Town Planner
Charlie Hoke, Director of Utilities
Pat O'Brien, Director of Parks and Recreation
Lynn Mathews, Superintendent of Public Works
Page Campbell, Chief of Police
Andrew Jenner, Page News & Courier
Members of the Luray Airport Commission
Sandra Weikle and LHS Science Students
Karen Riddle, Luray/ Page Chamber of Commerce**

A quorum being present, Mayor Dean declared the Council to be in session for the transaction of business. All present stood to recite the United States Pledge of Allegiance.

CONSIDERATION OF MINUTES

REGULAR COUNCIL MEETING- April 14, 2008

Minutes of the Regular Council Meeting of April 14, 2008 were submitted for review. **Motion:** Councilman Menefee motioned to approve the minutes as presented, motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

SPECIAL COUNCIL MEETING- April 23, 2008

Minutes of the Special Council Meeting of April 23, 2008 were submitted for review. **Motion:** Councilman Presgraves to approve the minutes as presented, motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

COUNCIL WORK SESSION- May 7, 2008

Minutes of the Council Work Session of May 7, 2008 were submitted for review. **Motion:** Councilman Lancaster motioned to approve the minutes as presented, motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

JOINT MEETING WITH PAGE COUNTY BOARD OF SUPERVISORS- April 22, 2008

Minutes of the Joint Meeting with Page County Board of Supervisors of April 22, 2008 were submitted for review of information.

PLANNING COMMISSION MEETING- April 16, 2008

Minutes of the Planning Commission Meeting of April 16, 2008 were submitted for review of information.

CDBG MEETING- May 1, 2008

Minutes of the CDBG Meeting of May 1, 2008 were submitted for review of information.

BOARD OF ZONING APPEALS MEETING- April 17, 2008

Minutes of the Board of Zoning Appeals Meeting of April 17, 2008 were submitted for review of information.

PUBLIC HEARINGS

Town Manager, Rick Black, reviewed the information for the first item under public hearing on the agenda; Airport Operating Agreement. The purpose of this public hearing is to receive comments concerning the agreement to operate the Luray Caverns Airport and the intent of the Town to pledge (or Assign) the rental revenues to be received by the Town in connection with the 30 T-hangars to be constructed at the Luray Caverns Airport. Such pledge or assignment shall provide additional security in connection with the financing, including interim financing, of the portion of such construction costs allocable to the Town. Currently the airport is jointly owned by the Town of Luray and the County of Page and is operated by the Luray Caverns Corporation. The Town is required to hold a public hearing and give the public proper notice any time public property (such as the airport) is encumbered in any way. Additionally, the FAA Master Agreement requires the town to give public notice with a public hearing when accepting any future grants. Mr. Black opened the public hearing portion of the meeting. With no one present to speak to this issue Mayor Dean then closed the public hearing. **Motion:** Councilman Racer motioned to approve the Airport Operating Agreement as presented; motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster,

Presgraves, Racer. **Approved 6-0 Motion:** Councilman Presgraves motioned to approve the Revenue Pledge Bond as presented; motion seconded by Councilman Menefee with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Town Manager, Rick Black, presented the second item for public hearing; FY 2009 Budget. Mr. Black presented the Budget Synopsis for July 1, 2008- June 30, 2009. Mr. Black highlighted several areas including the water and sewer rate increases. Town Manager, Rick Black, opened the public hearing for public comment. With no comments from the public, Mayor Dean closed the public hearing. There was no vote needed on the budget at this evenings meeting. Town Attorney, Jason Spitler, emphasized that it is important to remember that simply because the budget is approved that some individual projects will still require public hearings and the proper associated notice.

GENERAL CITIZEN COMMENTS

A) Sandra Weikle: LHS Science Class

Sandra Weikle, LHS Science Teacher, addressed Council regarding her students' recent work on the Learn and Serve Grant. The grant provides students the opportunity to research, sample, and collect data for analysis of water from the Hawksbill Creek. LHS student Ashley Purdham represented her classmates by giving Council a Presentation on the Learn and Serve Grant.

B) Karen Riddle – Luray/Page County Chamber of Commerce

Karen Riddle, Director of the Luray/Page County Chamber of Commerce, addressed Council regarding two upcoming events. On May 16, 2008, the Virginia Green Program will be held in Council Chambers from 10:00am-12:00pm. On May 22, 2008 there will be a Customer Service Program with both morning and evening sessions being held.

C) Michael King, 123 Highland Court, Luray

Michael King addressed Council regarding a request to hold "Cruise-In's" at Cravings Ice Cream (Located at 32 E Main Street in Luray). Town Council concurred that as long as the noise ordinance was met this would be permissible.

TOWN CLERK/TREASURER'S REPORT

Treasurer's Report of Cash on Hand as of May 12, 2008:

Sun Trust Bank:	
General Fund Account.....	\$ 3,289,630.14
Cash on Hand:	\$ 12,554.96
Total:	\$ 3,302,185.10

Mary Broyles, Town Treasurer, submitted to Council for approval, Accounts Payable invoices in the amount of \$ 353,410.74. **Motion:** Councilman Menefee motioned to approve payment of the invoices as

presented; motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

TOWN MANAGER'S REPORT

Town Manager, Rick Black, noted that he had received new information regarding the train depot restoration efforts. He had learned that there were federal funds remaining that could be transferred to the depot project. **Motion:** Councilwoman Shifflet motioned to transfer the federal funds to the depot project as presented; motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Several phases have been advertised for bids from Mr. Dave Puckett; internal renovations, the entranceway, and the parking area. The bid packets are available from Mr. Puckett.

TOWN ATTORNEY'S REPORT

Town Attorney, Jason Spitler, reminded Council of the discussion at the work session regarding the request from Fairview Meadows regarding the Bond Extension. Council was provided with a letter from Mr. Mark Reed addressing concerns raised from Council. **Motion:** Councilman Presgraves motioned to approve the supplement from Mark Reed for Fairview Meadows Bonding Issue as presented; motion seconded by Councilman Menefee with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Town Attorney, Jason Spitler, provided Council with a draft ordinance regarding the code enforcement issue addressed by Officer John Brice at the work session on May 7, 2008. **Motion:** Councilman Racer motioned to approve the Ordinance Authorizing the Removal or Repair of Structures Endangering Public Health or Safety in the Town of Luray; motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

TOWN AFFILIATED BOARDS AND COMMISSIONS

Airport Commission

Council received an update from Powell Markowitz, noting that the FAA funds for the Bennett Property have been reserved. Town Attorney, Jason Spitler, advised the Town Council that there were no issues regarding the airport which required a vote at the evenings meeting.

DEPARTMENTAL REPORTS

POLICE- PUBLIC SAFETY AND EMERGENCY SERVICES COORDINATOR'S REPORT

Chief Campbell reviewed his monthly departmental report and noted that Officer John Brice was actively pursuing yard sale permits. Also Councilman Menefee requested that Chief Campbell observe the crosswalk at the town office, as pedestrian traffic was becoming an issue again with non-yielding motorists. Chief Campbell also requested permission from the Page Cooperative Farm Bureau and the Page County Sheriff's Office to exterminate pests at the feed mill location.

PARKS AND RECREATION

Pat O'Brien, Director of Parks and Recreation, noted that the recent Festival of Spring was the most financially successful in four years. He thanked all departments for their enormous help in making the event a success

PUBLIC WORKS DEPARTMENT

Public Works Director, Lynn Mathews reported that all of the monthly water samples checked out OK. He reported that the department has two new employees, one due to the recent retirement of James Atkins. The public works department repaired one water leak for the month. Upcoming projects for his department will include mowing, drainage issues, street sign repairs, tree trimming, and brush collection. His department will make one new water tap this month.

WASTEWATER TREATMENT DEPARTMENT

Mr. Charlie Hoke, Director of Utilities, noted full compliance for the month. Also, he reported updates on the Water Filtration Plant and Wastewater Treatment Plant upgrades.

TOWN PLANNER'S REPORT

Town Planner, Ligon Webb, noted that he will be contacting the Page County Economic Development Authority regarding the recycling area. Also, Mr. Webb is working on upcoming planning commission recommendations for new commissioners and training sessions.

OLD BUSINESS

Town Manager, Rick Black, presented Council with the Resolution for the VRS Retirement Multiplier for Police Officers. **Motion:** Councilman Arrington motioned to approve the resolution for the VRS Retirement Multiplier for Police Officers; motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer.

Approved 6-0

Mr. Black also reviewed, regarding Habitat for Humanity, the delay of the payment for facility and tap fees until the dwelling is sold by Habitat to the first owner. Also, Habitat would like to have the subdivision fees waived. **Motion:** Councilman Presgraves motioned to approve the delay of the facility and tap fees until the dwelling is sold to the first owner and to waive the subdivision plat fees; motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Town Manager, Rick Black, presented the sketch included in council's packet for Blue Ridge Village. The engineering review has not yet been completed. Council discussed if approval should be granted since the engineering review has not been completed. **Motion:** Councilwoman Shifflett motioned to approve the subdivision contingent upon the engineers approval; motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Dean NAY: Lancaster, Presgraves, Racer. **Approved 4-3**

NEW BUSINESS

Town Manager, Rick Black, advised Council that the Personal Property Tax Relief Rate for this year would be set at 88.5%. **Motion:** Councilwoman Shifflet motioned to approve the Personal Property Tax

Relief Rate of 88.5% as presented; motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Mr. Black noted an amendment from NSVRC to reduce the number of commission members by 30%. Council must report to NSVRC its decision to support this amendment by May 16th, 2008. **Motion:** Councilman Racer motioned to support the amendment from NSVRC to reduce the number of commission members by 30%; motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Town Manager Black, asked Council to accept a dedication of a teaching garden from the Apple Cottage. The Town would not own the garden, but simply accept the dedication. **Motion:** Councilman Racer motioned to accept the dedication of the teaching garden from the Apple Cottage; motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

At the Council work session, Council and Staff discussed agreements from other localities to provide potable water for the depopulation of infected poultry houses. The amount of water requested at any one time would easily be controlled so as to not impact the Town's water system. **Motion:** Councilman Menefee motioned to agreement to provide water to the Virginia Poultry Federation; motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Lastly, Council discussed a contribution to the Back-to-School Bash in the amount of \$500. **Motion:** Councilman Presgraves motioned to approve the contribution of \$500 to the Back-to-School Bash in the amount of \$500; motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

MAYOR'S ANNOUNCEMENTS

Mayor Dean asked for volunteers from the Council to participate in the Town of Shenandoah's Memorial Day Parade.

Councilwoman Shifflett briefly spoke of a request to address the topic of the Inn Lawn Historic District.

ADJOURN

There being no further business, Mayor Dean adjourned the regular session of the Town Council at approximately 8:43 pm.

Mayor Ralph H. Dean

Danielle P. Babb
Deputy Clerk-Treasurer